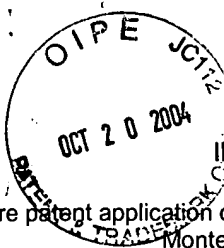


AF
61



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:
Montero, Adolfo S.

\$
\$
\$
\$
\$
\$
\$
\$
\$
\$

Serial No.: 10/034,437

Group Art Unit: 2188

Filed: December 27, 2001

Examiner: Inoa, Midys

For: BATTERY FIRMWARE CUSTOMER/
FIELD UPDATE METHOD

RECEIVED
OCT 22 2004
Technology Center 2100

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated August 26, 2004, enclosed are the following regarding the above-identified patent application:

1. Amendment and Request for Reconsideration Under 37 CFR §1.116;
2. Return postcard; and
3. Transmittal letter.

[] Small entity status of this application has been established by a previously submitted verified statement under 37 C.F.R. §§ 1.9 and 1.27.

[X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	28	minus	56	=	0	x 9	\$ _____	OR	x 18	\$ 0.00
INDEP	2	minus	4	=	0	x 44	\$ _____	OR	x 88	\$ 0.00
[]	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 150	\$ _____	OR	+ 300	\$ _____
						TOTAL	\$ _____	OR	TOTAL	\$ 0.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.


[] Please charge Deposit Account No. [08-1394 H&B] in the amount of \$ _____.

[] A check in the amount of \$ _____ is attached.

[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. [08-1394 H&B, Order No. 16356.764 (DC-03205)].


- [X] Any additional filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
[] Any patent application processing fees under 37 C.F.R. § 1.17.
[] A copy of this sheet is enclosed.

Respectfully submitted,


James R. Bell
Registration No. 26,528

Dated: 10-15-04
HAYNES AND BOONE, L.L.P.
901 Main Street, Suite 3100
Dallas, Texas 75202 3789
Telephone: 512/867-8407
Facsimile: 214/200-0853
ipdocketing@haynesboone.com

A-169405_1.DOC

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
on	10/15/04
Date	
Signature	
NISHI PASAREYA	
Typed or Printed name of person signing Certificate	



PATENT
Docket Number: 16356.764 (DC-03205)
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re application of:
Montero, Adolfo S.

Serial No. 10/034,437

Filed: December 27, 2001

For: BATTERY FIRMWARE
CUSTOMER/FIELD UPDATE
METHOD

§
§
§
§
§
§
§
§
§
§

Examiner: Inoa, Midys

Group Art Unit: 2188

OCT 22 2004

Technology Center 2100

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed August 26, 2004, please
amend the above-identified application as follows:

INTRODUCTORY COMMENTS

Claims 1 and 15 are amended, claims 29-56 are cancelled and claims 1-28 remain in the application.